Supreme Court, U. S.
FILED
AUG 10 1977
MICHAEL ROBAK, JR., CLERK

IN THE

Supreme Court of the United States

OCTOBER TERM, 1977

No. 77-10

EXXON CORPORATION AND PHILLIPS PETROLEUM COMPANY, *Appellants*,

v.

GOVERNOR OF THE STATE OF MARYLAND, ET AL., *Appellees*,

No. 77-11

SHELL OIL COMPANY, *Appellant*,

v.

GOVERNOR OF THE STATE OF MARYLAND, ET AL., *Appellees*,

No. 77-12

CONTINENTAL OIL COMPANY, ET AL., *Appellants*,

v.

GOVERNOR OF THE STATE OF MARYLAND, ET AL., *Appellees*,

No. 77-47

GULF OIL CORPORATION, *Appellant*,

v.

GOVERNOR OF THE STATE OF MARYLAND, ET AL., *Appellees*,

No. 77-64

ASHLAND OIL, INC., COMMONWEALTH OIL REFINING COMPANY, INC., AND PETROLEUM MARKETING CORPORATION, *Appellants*,

v.

GOVERNOR OF THE STATE OF MARYLAND, ET AL., *Appellees*.

ON APPEAL FROM THE COURT OF APPEALS OF MARYLAND

(Continued on inside cover)

The Daily Record Co., Baltimore, Md. 21202

OBJECTION TO MOTION OF THE CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA FOR LEAVE TO FILE A BRIEF AMICUS CURIAE AND BRIEF AMICUS CURIAE IN SUPPORT OF APPELLANTS

FRANCIS B. BURCH,
Attorney General,
JON F. OSTER,
Deputy Attorney General,
JOHN A. WOODSTOCK,
Assistant Attorney General,
Office of the Attorney General,
State of Maryland,
One South Calvert Street,
Baltimore, Maryland 21202,
Attorneys for Appellees.

IN THE

Supreme Court of the United States

OCTOBER TERM, 1977

No. 77-10

EXXON CORPORATION AND
PHILLIPS PETROLEUM COMPANY, *Appellants,*
v.
GOVERNOR OF THE STATE OF
MARYLAND, ET AL., *Appellees,*

No. 77-11

SHELL OIL COMPANY, *Appellant,*
v.
GOVERNOR OF THE STATE OF
MARYLAND, ET AL., *Appellees,*

No. 77-12

CONTINENTAL OIL COMPANY, ET AL., *Appellants,*
v.
GOVERNOR OF THE STATE OF
MARYLAND, ET AL., *Appellees,*

No. 77-47

GULF OIL CORPORATION, *Appellant,*
v.
GOVERNOR OF THE STATE OF
MARYLAND, ET AL., *Appellees,*

No. 77-64

ASHLAND OIL, INC., COMMONWEALTH OIL
REFINING COMPANY, INC., AND PETROLEUM
MARKETING CORPORATION, *Appellants,*
v.
GOVERNOR OF THE STATE OF
MARYLAND, ET AL., *Appellees.*

ON APPEAL FROM THE COURT OF APPEALS OF MARYLAND

OBJECTION TO MOTION OF THE CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA FOR LEAVE TO FILE A BRIEF AMICUS CURIAE AND BRIEF AMICUS CURIAE IN SUPPORT OF APPELLANTS

Respondents, Marvin Mandel, Governor of the State of Maryland, Francis B. Burch, Attorney General of Maryland and Louis L. Goldstein, Comptroller of the Treasury, by their attorneys, Francis B. Burch, Attorney General, Jon F. Oster, Deputy Attorney General and John A. Woodstock, Assistant Attorney General hereby file objection to the motion by the Chamber of Commerce of the United States of America (hereinafter referred to as "petitioner") for leave to file a brief *amicus curiae* in support of Appellants' jurisdictional statements. Respondents' objection is based on the following grounds:

1. The interest of the petitioner, as disclosed in its motion, is no more than a remote interest in the issues involved in the case.

2. As disclosed in petitioner's motion, the only issue which the petitioner seeks to discuss in his brief *amicus curiae*, namely the Commerce Clause, is already presented to this Court by seven appellants who have filed appeals and docketed Jurisdictional Statements in this case.[1] Thus, to the extent that petitioner's interest may be pertinent to the Commerce Clause issue in which they are interested, their argument, at best, is

[1] *Exxon Corporation and Phillips Petroleum Company v. Governor of the State of Maryland, et al., appeal docketed,* No. 77-10 (Sup. Ct. July 1, 1977); *Continental Oil Company, et al. v. Governor of Maryland, et al., appeal docketed,* No. 77-12 (Sup. Ct. July 1, 1977); *Gulf Oil Corporation v. Governor of Maryland, et al., appeal docketed,* No. 77-47 (Sup. Ct. July 8, 1977); *Ashland Oil, Inc., Commonwealth Oil Refining Company, Inc. and Petroleum Marketing Corporation v. Governor of Maryland, et al., appeal docketed,* No. 77-64 (Sup. Ct. July 11, 1977).

duplicative and redundant to the treatment and representation of these issues by the appellants. For respondents to be put in the position of having to respond to petitioner's arguments on these issues would unnecessarily cause further pleadings to be enlarged and would be likely to distract both counsel and the Court from the other issues involved.

3. It is submitted that petitioner's motion does not demonstrate any factual or legal issues that have not and will not be comprehensively represented by the appellants in this proceeding, all of which have, and are represented by, an abundance of counsel who have consistently demonstrated exceptional expertise in their treatment of the issues involved in this case. Under all the circumstances, petitioner has failed to demonstrate that its participation would in any manner by necessary to, or enhance, the eventual disposition of this case.

For each and all the foregoing reasons, the Motion of the Chamber of Commerce of the United States of America should be denied.

Respectfully submitted,

FRANCIS B. BURCH,
Attorney General,
JON F. OSTER,
Deputy Attorney General,
JOHN A. WOODSTOCK,
Assistant Attorney General,
Office of the Attorney General,
State of Maryland,
One South Calvert Street,
Baltimore, Maryland 21202,
Attorneys for Appellees.